

PLANNING COMMISSION REGULAR MEETING MINUTES

JANUARY 24, 2023

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I. Regular Meeting

Call to Order:

Pursuant to due call and notice thereof, the Regular Meeting of the Planning Commission was held on January 24, 2023. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners Thiagarajan, Powell, Marlow, Reed, Rivera. Commissioner Hebert was absent. Also, in attendance were Community Development Director Kienberger, Senior Planner Nemcek, Planner Hogan and Community Development Technician Rooney.

The Pledge of Allegiance was said.

Additions to Agenda: None.

Audience Input: None.

Consent Agenda:

4.a. Approval of the December 19, 2022, Regular Meeting Minutes.

MOTION by Powell.

Second by Reed.

Ayes: 6. Nays: 0.

Public Hearing:

6a. Request by Danner, Inc for Renewal of the Small-Scale Mineral Extraction Permit for 2023.

Senior Planner Nemcek gave a presentation and summary of the staff report for the Planning Commission. Danner, Inc is requesting approval for the annual renewal of a small-scale extraction permit subject to the terms and conditions. The property is located East of County Road 42 along 145 Street East.

Commissioner comments:

None.

The public hearing opened at 6:36 pm.

Public Comments:

None.

MOTION by Kenninger to close the public hearing

Second by Reed.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing closed at 6:36 pm.

Additional Comments:

None.

MOTION by Reed to approve a resolution approving for the annual renewal of a small-scale extraction permit subject to conditions as listed in the staff report;

Second by Powell.

Ayes: 6. Nays: 0. Motion Passes.

6b. Request by Xcel Energy for Approval to construct a 115kV Transmission Line subject to conditions .

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Senior Planner Nemcek gave a presentation and summary of the staff report for the Planning Commission. The Planning Commission is being asked to consider a request by Xcel Energy for approval to construct a 115kV Transmission Line subject to conditions subject to terms and conditions. The site is located between the Inver Grove Substation and a new substation south of County Road 42 at Blaine Avenue.

Commissioner comments:

Commissioner Reed asked a question about tree removal, specifically regarding the scope of the trees being removed on site. Commissioner Reed shared his concern for tree removal and screening along homeowners' property within the easements and right of way being utilized for the construction of the transmission line.

Planner Nemcek noted that the City and the developer are working to maintain as many trees on site as possible so that the impacts of removal are consolidated.

Commissioner Reed asked how the homeowners would be compensated for tree and screening removal on their property. He also asked where the fee, in lieu of the removal, would go to.

Planner Nemcek noted that the developer, Xcel Energy, would work with any affected homeowners to either replace the trees or fairly compensate them for the removal of trees and other screening impacted by the development. In addition, he noted that the fee for removal above the 25% tree removal threshold would go to the City of Rosemount.

Chair Kenninger asked a clarification question about the removal of trees on site and the replacement of the trees by the developer.

Senior Planner Nemcek noted that the essential goal of the city is to mitigate any impacts made by the developer as close to where they are being made.

Chair Kenninger asked how many homeowners would be impacted by the removal of trees and other screening.

Senior Planner Nemcek differed to the applicant but noted that it was primarily residents within the Flint Hills neighborhood.

Commissioner Reed asked how the transmission line development would impact the construction of the water tower planned for the northeast corner of the site.

Senior Planner Nemcek noted that the City would be working directly with Xcel to make sure that nothing impacts the future development of the City water tower.

Commissioner Reed asked if there were any clean up concerns within the construction area of the transmission line.

Planner Nemcek mentioned that there is no clean-up necessary for this portion of the site within the UMore property.

The public hearing opened at 6:51 pm.

Public Comments:

Sean Waller

414 Nicollet Mall

Minneapolis, Minnesota

Mr. Waller discussed the improved access and benefits of the proposed transmission line to support load growth in the Rosemount area. He mentioned that Xcel hopes to be in construction in the fall of 2023 continuing into 2024. He noted that Xcel is familiar with working closely with individuals impacted by the development of this project. This includes close coordination with Flint Hills Resources, the City of Rosemount, the University of Minnesota, as well as private home and landowners to develop a replacement screening plan that suits their needs.

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Christopher Horton
14385 Blaine Avenue
Rosemount, Minnesota

He shared his concern of the removal of screening due to the proposed development of the transmission line. He suggested the Planning Commission inquire about alternatives to the proposed transmission line route.

Lloyd Nelson
14380 Blaine Court
Rosemount, Minnesota

He is a homeowner who lives in the path of the proposed transmission line development. Mr. Nelson inquired about EMF frequencies and radiation caused by the transmission line. He mentioned his concerns with the proximity of the transmission line to his home as well as the potential effect the transmission line might have on his wife's pacemaker. In addition, he noted a concern with the removal of trees and other screening from his property. Lastly, he stressed his concern of living in such proximity to the transmission line and the electromagnetic frequencies the line may give off.

Sean Waller
414 Nicollet Mall
Minneapolis, Minnesota

Mr. Waller began by touching on the alternate path of the transmission line posed by Mr. Horton. He stated that there was a public open house held months prior to this Planning Commission meeting to gauge public opinion on transmission line route options. The outcome of the public open house was the proposed transmission line route put forth by Xcel for this project. He noted that the alternate route of the transmission line would have a much larger impact on the public as well as pose many challenges for Xcel.

Commissioner Kenninger asked about the health concerns Mr. Nelson brought up earlier. Mr. Waller differed to Jessie Lion.

Jessie Lion
35331 54th Street
Rosemount, Minnesota

Mr. Ryan is the transmission line engineer for Xcel Energy. He mentioned that there are no regulations in the United States which require the type of transmission line being proposed to be set back from an individual's home. He noted that there are only real human health concerns for voltages over 400kV. The amount of impact an individual might experience at the edge of the easement of a 115kV is not a strong enough current to be a major human health concern as most household appliances carry the same amount of voltage. In relation to the pacemaker, he noted that if the resident has not experienced issues in their home, they will likely not experience them from the transmission line. Mr. Lion stated the 115kV is much lower than what is considered safe, as listed in the Environmental Assessment (EA).

Chair Kenninger questioned whether Mr. Lion's contact would be made available to the public if they had any questions regarding the transmission line.

Jessie Lion
35331 54th Street
Rosemount, Minnesota

Mr. Lion noted that if anyone had any concerns, they could inquire through Mr. Waller to provide them with the right person to get in contact with.

Commissioner Reed asked if there was additional protection Xcel might place on the transmission line to protect human health.

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Jessie Lion
35331 54th Street
Rosemount, Minnesota

Mr. Lion stated that adding additional protection was not common practice, even on higher voltage transmission lines.

Alvester
2369 Hampton Street
Rosemount, Minnesota

He asked when the development of the transmission line will travel further south, through his property.

Sean Waller
414 Nicollet Mall
Minneapolis, Minnesota

Noted that the site the resident was referring to was property owned by the University of Minnesota. He stated that Xcel was working with the University to develop that site in 2024 and that Xcel would be tying into the existing transmission line along the site the resident was concerned with.

MOTION by Kenninger to close the public hearing.

Second by Reed.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing closed at 7:12 pm.

Additional Comments:

Chair Kenninger asked whether homeowners with easements that will be impacted by the transmission line develop would be required to come to an agreement with Xcel.

Senior Planner Nemcek stated that there are several easements that Xcel currently owns, in addition, Xcel is working with property owners to obtain additional easements for the construction of the line as needed.

Commissioner Reed confirmed that fair market value will be used to compensate individuals impacted by purchase of easements. Commissioner Reed also stated that it can be hard to make decisions as a commission when there is an impact on residents to improve the City of Rosemount.

MOTION by Reed to recommend the City Council to Approve the construction of a 115kV Transmission Line.

Second by Rivera.

Ayes: 6. Nays: 0. Motion Passes.

6c. City of Rosemount Joint Police and Public Works Campus.

Planner Hogan gave a presentation and summary of the staff report for the Planning Commission. The Planning Commission is being asked to consider a request by the City of Rosemount for approvals which would allow for the construction of a 160,000 square foot joint Police and Public Works Campus. The property is located 1/3 mile north of 145th Street West and west of Biscayne Avenue.

Commissioner comments:

Chair Kenninger asked about parking requirements proposed in the site plans as the parking requirements are significantly lower than what has been approved in the past for similar sized buildings.

Planner Hogan noted that the parking spaces were sufficient to support the joint campus due many of the employees working shift work hours. The shift work of officers and public works employees does not require them to all to be on campus at any given time throughout the normal workday.

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Commissioner Reed asked what the parking capacity is at City Hall currently.

Senior Planner Nemcek added that the City Planning Department goes through a rigorous review of the proposed parking requirements. The City has determined that the parking, as planned for worst case scenario, is sufficient to support a public institutional building and use.

Chair Kenninger added that she wanted to treat this case as the commission would any other.

Commissioner Powell asked if all the equipment, including all trucks, be kept inside the garage.

Planner Hogan confirmed that most City vehicles would be parked inside.

Commissioner Reed asked about the height of the fence.

Planner Hogan noted that the public institutional zoning district requires a 6-foot fence, the project is proposing an 8 foot fence instead which requires the Commission to approve the fence height.

The public hearing opened at 7:32 pm.

Public Comments:

Mary Hoben

13976 Blarney Court

Rosemount, Minnesota

She noted that she was the representative for the HOA for Connemara Crossing. She noted that there is concern for the change in scenery near and around the neighborhood. She asked for clarification on the size of the berm proposed to be constructed and screening for the site.

Nick Egger

City of Rosemount Engineer

Nick, the city engineer, addressed questions posed by the commission as well as residents. He first addressed the parking questions brought up by chair Kenninger. He noted that most of the parking of the police force will be kept indoors, within a garage.

Chair Kenninger asked if the parking took into consideration the seasonal public workers which was confirmed by Nick, the city Engineer.

Commissioner Thiagarajan asked if the fence surrounding the building will be constructed around the entirety of the building.

Nick noted that the fence will not encompass the entire building, however, it would be along the Northwest and Southern side of the building. The front of the building will host a decorative iron, looking material.

MOTION by Kenninger to close the public hearing.

Second by Powell

Ayes: 6. Nays: 0. Motion Passes.

The public hearing closed at 7:39 pm.

Additional Comments:

None.

MOTION by Rivera to recommend the City Council to approve the City of Rosemount Police and Public Works building.

Second by Powell.

Ayes: 6. Nays: 0. Motion Passes.

New Business: Community Development director noted there was no new business information to note.

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Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 7:42 pm.

Respectfully submitted,

Riley Rooney, Community
Development Technician